

Notice of Allowability

Application No.

10/002,428

Examiner

Arezoo Sherkat

Applicant(s)

PIAZZA ET AL.

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/15/2005.
2. ☒ The allowed claim(s) is/are 1-8,10,11 and 13-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 10/31/01
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 12/9/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

CEL
Primary Examiner

Response to Amendment

This office action is responsive to Applicant's amendment received on Sep. 15, 2005. Claims 1 and 11 are amended. Claims 9 and 12 are cancelled. Claims 22 and 23 are added. Claims 1-8, 10-11, and 13-23 are pending.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Joseph P. Lally on 12/9/2005.

The application has been amended as follows:

Claim 22. (Original) A computer program product comprising computer executable instructions, stored on a computer readable storage medium for maintaining an in service date (ISD) representative of the date on which an electronic device is placed in service, comprising:

instructions for determining, upon powering on the electronic device, whether a valid date has ever been entered into the electronic device;

instructions for prompting a user to enter a valid date responsive to determining that no valid date has ever been entered into the device;

instructions for setting a date valid flag (DVF) responsive to entry of a valid date into the device;

instructions for determining the current date and storing the current date as the ISD responsive to determining that (a) the DVF is TRUE, (b) the electronic device has been functioning for a specified duration, and (c) the ISD is not currently stored;

instructions for preventing a user from altering the ISD, once established, without entering an unlocking code obtained from the manufacturer of the device.

Claim 22. (Amended) A computer program product comprising computer executable instructions, stored on a computer readable storage medium for maintaining an in service date (ISD) representative of the date on which an electronic device is placed in service, comprising:

instructions for determining, upon powering on the electronic device, whether a valid date has ever been entered into the electronic device;

instructions for prompting a user to enter a valid date responsive to determining that no valid date has ever been entered into the device;

instructions for setting a date valid flag (DVF) responsive to entry of a valid date into the device;

instructions for determining the current date and storing the current date as the ISD responsive to determining that (a) the DVF is TRUE, (b) the electronic device has been functioning for a specified duration, and (c) the ISD is not currently stored;

instructions for preventing a user from altering the ISD, once established, by issuing an ISD error message responsive to determining that the ISD is after the current date, before transitioning the system to a normal operating mode, without entering an unlocking code obtained from the manufacturer of the device.

Allowable Subject Matter

Claims 1-8, 10-11, and 13-23 are allowed.

The following is an examiner's statement of reasons for allowance:

Prior arts of record fail to disclose determining whether or not the in service date/start of service date is **after** the current date and if so, issuing an error message before transitioning the system to a normal operating mode.

Rydbeck, U.S. Patent No. 6,163,693 discloses establishing the warranty period and is silent about comparing the start of service/warranty period with the current date to determine the validity of the start of service date.

Findikli et al., U.S. Patent No. 6,529,727 discloses comparing the current time with the activation period and determining whether the activation period is still valid, i.e., the current time falls within the activation period.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arezoo Sherkat whose telephone number is (571) 272-3796. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Arezoo Sherkat
Patent Examiner
Group 2131
Dec. 9, 2005



Primary Examiner
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12/12/05